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EXAMINER

EKPO, NNENNA NGOZI

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2425

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/607,073	Applicant(s) KRIEGER ET AL.	
	Examiner NNENNA N. EKPO	Art Unit 2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20-38 and 40-55 is/are pending in the application.
- 4a) Of the above claim(s) 19, 39 and 56-78 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20-38, 40-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/06/2009 has been entered.

Response to Arguments

2. Applicant's arguments filed 08/06/2009 have been fully considered but they are not persuasive.

Applicant argues on pages 15+ of the 08/06/2009 Remarks that neither Schein et al. (U.S. Patent No. 6,075,575) nor Nsonwu et al. (U.S. Patent No. 6,678,473) teaches "a TV tag is embedded in the web-based content as the web-based content is created" and "a selectable hyperlink" as now recited in independent claims 1, 26, 33, 37, 45 and 51.

In response to argument, Examiner respectfully disagrees. Nsonwu et al. discloses a TV tag is embedded in the web-based content as the web-based content is created in col. 3, lines 44-67, col. 4, lines 44-col. 5, lines 58, col. 6, lines 25-col. 7, line 17: In figure 1, the system 100 includes a media server for providing on demand movies and other programming from a media database. The media server also provides additional content such as interviews with actors, games etc. associated with

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web pages. After the content is created and incorporated with the program, the media and EPG servers transmit the programs via a cable network, satellite network etc. to the set top box (STB). The system further includes a TV 24, having a display 26 for displaying the programming, web content and other display functions.

In response to argument that neither Schein et al. nor Nsonwu et al. disclose a selectable hyperlink, Examiner disagrees. Nsonwu et al. discloses a selectable link in col. 5, lines 4-59: The pop-up option palette of the present invention is implemented as an overlay window enabled by HTML (hyperlink). For example, selecting cell 212 takes the user to the electronic program guide, selecting cell 216 takes the user to a screen for controlling prerecorded movies etc. The user can quickly implement various functions suited to the context of the selected cell by selecting print tab, 244, add to favorites tab 250 etc.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-3, 6, 7, 9, 11-18, 20-23, 25-30, 32, 33, 37, 38, 40, 44 and 51-55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575) in view of Nsonwu et al. (U.S. Patent No. 6,978,473).

Regarding **claim 1**, Schein et al. discloses a method comprising:

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receiving data that describes a television broadcast schedule (see col. 9, lines 38-44);

rendering web-based content that is related to television entertainment (see col. 6, lines 60-col. 7, line 12, line 28-54);

an associated data element that is associated with at least a portion of the data that describes a television broadcast schedule, wherein a portion of the data that describes the television broadcast schedule that is contextually relevant in relation to the web-based content is displayed via the TV (see col. 9, lines 38-58).

However, Schein et al. fails to specifically disclose rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises:

a plurality of associated actions;

receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions.

Nsonwu et al. discloses rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises (see fig 7, col. 7, lines 4-17):

a plurality of associated actions (see fig 2 (244, 250 etc.));

receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions (see col. 5, lines 43-58, fig 2);

wherein a TV tag is embedded in the web-based content as the web-based content is created (see col. 3, lines 44-67, col. 4, lines 44-col. 5, lines 58, col. 6, lines

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25-col. 7, line 17: In figure 1, the system 100 includes a media server for providing on demand movies and other programming from a media database. The media server also provides additional content such as interviews with actors, games etc. associated with web pages. After the content is created and incorporated with the program, the media and EPG servers transmit the programs via a cable network, satellite network etc. to the set top box (STB). The system further includes a TV 24, having a display 26 for displaying the programming, web content and other display functions);

a selectable link (see col. 5, lines 4-59: The pop-up option palette of the present invention is implemented as an overlay window enabled by HTML (hyperlink). For example, selecting cell 212 takes the user to the electronic program guide, selecting cell 216 takes the user to a screen for controlling prerecorded movies etc. The user can quickly implement various functions suited to the context of the selected cell by selecting print tab, 244, add to favorites tab 250 etc.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. to include rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises: a plurality of associated actions; receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions, a TV tag is embedded in the web-based content as the web-based content is created and a selectable hyperlink as taught by Nsonwu et al. for the advantage of associating descriptions of favorite television programs.

Regarding **claim 2**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the web-based content comprises program details associated with a particular television program (see fig 4A (channel 8 HBO, Whales from 7:00 pm – 7:30 pm)).

Regarding **claim 3**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the web-based content comprises a description of a particular movie (legends of the fall) (see figs 4A and 4B, col. 9, lines 38-44, col. 10, lines 22-29, fig 10C).

Regarding **claim 6**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the web-based content comprises an advertisement (see col. 9, lines 59-65).

Regarding **claim 7**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the associated data element comprises data associated with a particular television series (see col. 12, lines 34-42).

Regarding **claim 9**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the

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associated data element comprises television broadcast schedule data, the schedule data being filtered based on a channel lineup (channel 7, 8, 9 etc.) that is available from a television broadcast provider (HBO, Nickelodeon, Disney etc.) (see fig 4 A).

Regarding **claim 11**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the associated data element comprises data associated with a particular television program (see fig 4A (channel 8 HBO, Whales from 7:00 pm – 7:30 pm)).

Regarding **claim 12**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the associated data element comprises data associated with a particular movie (legends of the fall) (see figs 4A and 4B, col. 9, lines 38-44, col. 10, lines 22-29, fig 10C).

Regarding **claim 13**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the associated data element comprises data associated with a particular person (see fig 11B (HBO interview with Brad Pitt)).

Regarding **claim 14**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 13*). Schein et al. discloses the method wherein

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the person comprises an actor (see fig 11B (HBO interview with Brad Pitt), col. 12, lines 18-24).

Regarding **claim 15**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 13*). Schein et al. discloses the method wherein the person comprises a director (col. 12, lines 18-24).

Regarding **claim 16**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the associated data element comprises data associated with a particular sporting event (Monday Night Football) (see fig 5B).

Regarding **claim 17**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the data element comprises data associated with a particular sports team (Washington Red Skins) (see fig 5B).

Regarding **claim 18**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. discloses the method wherein the data element comprises data associated with a particular broadcast channel (ABC 15) (see fig 5B).

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Regarding **claim 20**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Nsonwu et al. discloses the method further comprising:

selecting at least one of the plurality of associated actions (see col. 5, lines 43-58); and

performing the at least one selected associated action (see col. 5, lines 43-58).

Regarding **claim 21**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 20*). Schein et al. discloses the method wherein the selected associated action comprises providing data associated with the TV tag to a TV planner system, the data to be used to personalize TV planner data for the viewer (see col. 11, lines 38-67).

Regarding **claim 22**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 20*). Schein et al. discloses the method wherein the selected associated action comprises providing data associated with the TV tag to a TV planner system, the data to be used to personalize TV planner data for the viewer (see col. 11, lines 38-67, fig 8B).

Regarding **claim 23**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 20*). Schein et al. discloses the method wherein the selected associated action comprises scheduling an alert system to generate an

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alert associated with a particular program that is associated with the TV tag (see col. 13, lines 4-21, fig 10A).

Regarding **claim 25**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*).

Schein et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 1 (see fig 3, col. 4, line 64-col. 5, lines 5)

Nsonwu et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 1 (see fig 1, col. 1, lines 41-51).

Regarding **claim 26**, Schein et al. discloses a method comprising:
rendering web-based content that is related to television entertainment (see col. 6, lines 60-col. 7, line 12, line 28-54).

However, Schein et al. fails to specifically disclose rendering along with the content, a selectable TV tag, wherein the TV tag comprises:

- a plurality of associated actions and
- an associated data element;

- receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions; and

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performing the at least one selected associated actions.

Nsonwu et al. discloses rendering along with the content, a selectable TV tag, wherein the TV tag (palette) comprises (see fig 7, col. 7, lines 4-17):

a plurality of associated actions (see fig 2 (244, 250 etc.)) and

an associated data element (see fig 2 (print, add to favorite etc.));

receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions (see col. 5, lines 43-58, fig 2); and performing the at least one selected associated actions (see col. 5, lines 51-58, fig 2);

wherein a TV tag is embedded in the web-based content as the web-based content is created (see col. 3, lines 44-67, col. 4, lines 44-col. 5, lines 58, col. 6, lines 25-col. 7, line 17: In figure 1, the system 100 includes a media server for providing on demand movies and other programming from a media database. The media server also provides additional content such as interviews with actors, games etc. associated with web pages. After the content is created and incorporated with the program, the media and EPG servers transmit the programs via a cable network, satellite network etc. to the set top box (STB). The system further includes a TV 24, having a display 26 for displaying the programming, web content and other display functions);

a selectable link (see col. 5, lines 4-59: The pop-up option palette of the present invention is implemented as an overlay window enabled by HTML (hyperlink). For example, selecting cell 212 takes the user to the electronic program guide, selecting cell

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216 takes the user to a screen for controlling prerecorded movies etc. The user can quickly implement various functions suited to the context of the selected cell by selecting print tab, 244, add to favorites tab 250 etc.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. to include rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises: a plurality of associated actions; receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions, a TV tag is embedded in the web-based content as the web-based content is created and a selectable hyperlink as taught by Nsonwu et al. for the advantage of associating descriptions of favorite television programs.

Regarding **claim 27**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 26*). Schein et al. discloses the method wherein the performing the at least one associated action comprises maintaining personalization data based on the associated data element, the personalization data to be used to filter subsequent renderings of broadcast schedule data (see col. 12, lines 59-col. 13, line 21).

Regarding **claim 28**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 26*). Schein et al. discloses the method wherein

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the associated data element identifies a particular television program (see fig 8B, Monday night football), and wherein performing the at least one associated action comprises scheduling a recording device to record the particular television program (see fig 8B, col. 11, lines 38-48).

Regarding **claim 29**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see *claim 26*). Schein et al. discloses the method wherein the performing the at least one associated action comprises scheduling an alert system to generate an alert associated with the data element (see fig 10A, col. 13, lines 4-21).

Regarding **claim 30**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see *claim 29*). Schein et al. discloses the method wherein the associated data element identifies a particular television program (see fig 9D, Legends of the fall), and the alert is generated when the particular television program is scheduled to be broadcast (see fig 9D, remind me when this program airs, (see col. 13, lines 4-21, fig 10A).

Regarding **claim 32**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see *claim 26*).

Schein et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 26 (see fig 3, col. 4, line 64-col. 5, lines 5)

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Nsonwu et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 26 (see fig 1, col. 1, lines 41-51).

Regarding **claim 33**, Schein et al. discloses a method comprising:

rendering an article that describes a particular television program (see col. 6, lines 60-col. 7, line 12, line 28-54),

transmitting personalization data based on the selected TV tag to a TV planner system that generates a personalized version of a television broadcast schedule (see col. 12, lines 11-32).

However, Schein et al. fails to specifically disclose rendering along with the article, a selectable TV tag that is associated with the particular television program, wherein the TV tag comprises; a plurality of associated actions; and an associated data element; receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions.

Nsonwu et al. discloses rendering along with the article, a selectable TV tag that is associated with the particular television program (see fig 7, col. 7, lines 4-17) wherein the TV tag (palette) comprises,

a plurality of associated actions (see fig 2 (244, 250 etc.)) and

an associated data element (see fig 2 (print, add to favorite etc.));

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receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions (see col. 5, lines 43-58, fig 2);

wherein a TV tag is embedded in the web-based content as the web-based content is created (see col. 3, lines 44-67, col. 4, lines 44-col. 5, lines 58, col. 6, lines 25-col. 7, line 17: In figure 1, the system 100 includes a media server for providing on demand movies and other programming from a media database. The media server also provides additional content such as interviews with actors, games etc. associated with web pages. After the content is created and incorporated with the program, the media and EPG servers transmit the programs via a cable network, satellite network etc. to the set top box (STB). The system further includes a TV 24, having a display 26 for displaying the programming, web content and other display functions);

a selectable link (see col. 5, lines 4-59: The pop-up option palette of the present invention is implemented as an overlay window enabled by HTML (hyperlink). For example, selecting cell 212 takes the user to the electronic program guide, selecting cell 216 takes the user to a screen for controlling prerecorded movies etc. The user can quickly implement various functions suited to the context of the selected cell by selecting print tab, 244, add to favorites tab 250 etc.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. to include rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises: a plurality of associated actions; receiving an indication of a viewer selection

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of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions, a TV tag is embedded in the web-based content as the web-based content is created and a selectable hyperlink as taught by Nsonwu et al. for the advantage of associating descriptions of favorite television programs.

Regarding **claim 37**, Schein et al. discloses a method comprising:
rendering an article that describes a particular movie (see fig 11B) and
transmitting personalization data based on the selected TV tag to a TV planner system that generates a personalized version of a television broadcast schedule (see col. 12, lines 11-32).

However, Schein et al. fails to specifically disclose rendering along with the article, a selectable TV tag that is associated with the particular movie, wherein the TV tag comprises; a plurality of associated actions; and an associated data element; receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions.

Nsonwu et al. discloses rendering along with the article, a selectable TV tag that is associated with the particular movie (see fig 6, col. 6, lines 39-53) wherein the TV tag (palette) comprises,

a plurality of associated actions (see fig 6 (244, 630 etc.)) and
an associated data element (see fig 2 (print, help etc.));

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receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions (see col. 5, lines 43-58, fig 6);

wherein a TV tag is embedded in the web-based content as the web-based content is created (see col. 3, lines 44-67, col. 4, lines 44-col. 5, lines 58, col. 6, lines 25-col. 7, line 17: In figure 1, the system 100 includes a media server for providing on demand movies and other programming from a media database. The media server also provides additional content such as interviews with actors, games etc. associated with web pages. After the content is created and incorporated with the program, the media and EPG servers transmit the programs via a cable network, satellite network etc. to the set top box (STB). The system further includes a TV 24, having a display 26 for displaying the programming, web content and other display functions);

a selectable link (see col. 5, lines 4-59: The pop-up option palette of the present invention is implemented as an overlay window enabled by HTML (hyperlink). For example, selecting cell 212 takes the user to the electronic program guide, selecting cell 216 takes the user to a screen for controlling prerecorded movies etc. The user can quickly implement various functions suited to the context of the selected cell by selecting print tab, 244, add to favorites tab 250 etc.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. to include rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises: a plurality of associated actions; receiving an indication of a viewer selection

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of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions, a TV tag is embedded in the web-based content as the web-based content is created and a selectable hyperlink as taught by Nsonwu et al. for the advantage of associating descriptions of favorite television programs.

Regarding **claim 38**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 37*). Schein et al. discloses the method wherein the TV represents a particular scheduled airing of the particular movie (fig 4B, legends of the fall), and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing the particular scheduled airing of the particular movie (see fig 9A, col. 12, lines 33-50).

Nsonwu et al. discloses TV tag (see fig 2 (240)).

Regarding **claim 40**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 37*). Schein et al. discloses the method wherein the transmitting comprises:

determining whether the particular movie (legend of the fall) is scheduled for television broadcast (see fig 4B, legend of the fall, 8:00 pm); and

in an event that the particular movie is not scheduled for television broadcast, transmitting personalization data that indicates that the TV planner system is to

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automatically generate and send a reminder to the viewer when the particular movie is later scheduled for television broadcast (see fig 10A, col. 13, lines 4-19).

Regarding **claim 44**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 37*).

Schein et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 37 (see fig 3, col. 4, line 64-col. 5, lines 5)

Nsonwu et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 37 (see fig 1, col. 1, lines 41-51).

Regarding **claim 51**, Schein et al. discloses a method comprising:

rendering an article that describes a particular sport (col. 6, lines 60-col. 7, line 12, line 28-54) and

transmitting personalization data based on the selected TV tag to a TV planner system that generates a personalized version of a television broadcast schedule (see col. 12, lines 11-32).

However, Schein et al. fails to specifically disclose rendering along with the article, a selectable TV tag that is associated with the particular event, wherein the TV tag comprises; a plurality of associated actions; and an associated data element; receiving an indication of a viewer selection of the TV tag, wherein the selection of the

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TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions.

Nsonwu et al. discloses rendering along with the article, a selectable TV tag that is associated with the particular event (see fig 5, col. 6, lines 24-38) wherein the TV tag (palette) comprises,

a plurality of associated actions (see fig 4 (244, 256 etc.)) and

an associated data element (see fig 4 (print, add to favorite etc.));

receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions (see col. 5, lines 43-58, fig 6);

wherein a TV tag is embedded in the web-based content as the web-based content is created (see col. 3, lines 44-67, col. 4, lines 44-col. 5, lines 58, col. 6, lines 25-col. 7, line 17: In figure 1, the system 100 includes a media server for providing on demand movies and other programming from a media database. The media server also provides additional content such as interviews with actors, games etc. associated with web pages. After the content is created and incorporated with the program, the media and EPG servers transmit the programs via a cable network, satellite network etc. to the set top box (STB). The system further includes a TV 24, having a display 26 for displaying the programming, web content and other display functions);

a selectable link (see col. 5, lines 4-59: The pop-up option palette of the present invention is implemented as an overlay window enabled by HTML (hyperlink). For example, selecting cell 212 takes the user to the electronic program guide, selecting cell

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216 takes the user to a screen for controlling prerecorded movies etc. The user can quickly implement various functions suited to the context of the selected cell by selecting print tab, 244, add to favorites tab 250 etc.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. to include rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises: a plurality of associated actions; receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions, a TV tag is embedded in the web-based content as the web-based content is created and a selectable hyperlink as taught by Nsonwu et al. for the advantage of associating descriptions of favorite television programs.

Regarding **claim 52**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 51*). Schein et al. discloses the method wherein the article is associated with a particular sporting event, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any scheduled airing of the particular sporting event (*see fig 8B*).

Regarding **claim 53**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 51*). Schein et al. discloses the method wherein

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the article is associated with a particular sports team, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any scheduled airing of sporting events involving the particular sports team (see fig 8B).

Regarding **claim 54**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see *claim 51*). Schein et al. discloses the method wherein the article is associated with a particular sports team, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any scheduled airing of live sporting events involving the particular sports team (see fig 8A, 8B).

Regarding **claim 55**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see *claim 51*).

Schein et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 51 (see fig 3, col. 4, line 64-col. 5, lines 5)

Nsonwu et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 51 (see fig 1, col. 1, lines 41-51).

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4. **Claims 45-48 and 50** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575), Nsonwu et al. (U.S. Patent No. 6,978,473) and Ellis et al. (U.S. Publication No. 2009/0019485).

Regarding **claim 45**, Schein et al. discloses a method comprising:

transmitting personalization data based on the selected TV tag to a TV planner system that generates a personalized version of a television broadcast schedule (see col. 12, lines 11-32).

However, Schein et al. fails to specifically disclose rendering along with the article, a selectable TV tag that is associated with the particular person, wherein the TV tag comprises; a plurality of associated actions; and an associated data element; receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions.

Nsonwu et al. discloses rendering along with the article, a selectable TV tag that is associated with the particular person (see fig 4, col. 6, lines 11-23) wherein the TV tag (palette) comprises,

a plurality of associated actions (see fig 4 (244, 256 etc.)) and

an associated data element (see fig 4 (print, add to favorite etc.));

receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions (see col. 5, lines 43-58, fig 6);

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wherein a TV tag is embedded in the web-based content as the web-based content is created (see col. 3, lines 44-67, col. 4, lines 44-col. 5, lines 58, col. 6, lines 25-col. 7, line 17: In figure 1, the system 100 includes a media server for providing on demand movies and other programming from a media database. The media server also provides additional content such as interviews with actors, games etc. associated with web pages. After the content is created and incorporated with the program, the media and EPG servers transmit the programs via a cable network, satellite network etc. to the set top box (STB). The system further includes a TV 24, having a display 26 for displaying the programming, web content and other display functions);

a selectable link (see col. 5, lines 4-59: The pop-up option palette of the present invention is implemented as an overlay window enabled by HTML (hyperlink). For example, selecting cell 212 takes the user to the electronic program guide, selecting cell 216 takes the user to a screen for controlling prerecorded movies etc. The user can quickly implement various functions suited to the context of the selected cell by selecting print tab, 244, add to favorites tab 250 etc.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. to include rendering simultaneous with the web-based content, a TV tag, wherein the TV tag comprises: a plurality of associated actions; receiving an indication of a viewer selection of the TV tag, wherein the selection of the TV tag launches a display of an input area whereby users can indicate selection of at least one of the plurality of associated actions, a TV tag is embedded in the web-based content as the web-based content is

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created and a selectable hyperlink as taught by Nsonwu et al. for the advantage of associating descriptions of favorite television programs.

However, Schein and Nsonwu et al. fail to specifically disclose rendering web-based biographies and news articles within a web browser application.

Ellis et al. discloses rendering web-based biographies and news articles within a web browser application (see paragraphs 0247-0248).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu to include rendering web-based biographies and news articles within a web browser application as taught by Ellis et al. for the advantage of obtaining links to soap opera web sites etc.

Regarding **claim 46**, Schein et al., Nsonwu et al. and Ellis et al. discloses everything claimed as applied above (*see claim 45*). Schein et al. discloses the method wherein the TV represents a particular actor, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any program scheduled to be broadcast in which the particular actor has a leading role (see col. 12, lines 11-32).

Nsonwu et al. disclose TV tag (see fig 2 (240)).

Regarding **claim 47**, Schein et al., Nsonwu et al. and Ellis et al. discloses everything claimed as applied above (*see claim 45*). Schein et al. discloses the method

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wherein the TV represents a particular celebrity, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any program scheduled to be broadcast in which the particular celebrity has a leading role (see col. 12, lines 11-32).

Nsonwu et al. disclose TV tag (see fig 2 (240)).

Regarding **claim 48**, Schein et al., Nsonwu et al. and Ellis et al. discloses everything claimed as applied above (see *claim 45*). Schein et al. discloses the method wherein the TV represents a particular celebrity, and wherein the personalization data indicates that the personalized version of the television broadcast schedule is to include data describing any program scheduled to be broadcast in which the particular celebrity has an appearance (see col. 12, lines 18-32).

Regarding **claim 50**, Schein et al., Nsonwu et al. and Ellis et al. discloses everything claimed as applied above (see *claim 45*).

Schein et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 45 (see fig 3, col. 4, line 64-col. 5, lines 5)

Nsonwu et al. discloses one or more computer-readable media comprising computer-executable instructions that, when executed, direct a computer system to perform the method as recited in claim 45 (see fig 1, col. 1, lines 41-51).

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5. **Claims 4 and 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575) and Nsonwu et al. (U.S. Patent No. 6,978,473) as applied to *claim 1* above, and further in view of Wang (U.S. Patent No. 6,675,385).

Regarding **claim 4**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the web-based content comprises a celebrity biography.

Wang discloses the method wherein the web-based content comprises a celebrity biography (see col. 9, lines 44-50).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the web-based content comprises a celebrity biography as taught by Wang for the advantage of giving viewers complete information about the television program.

Regarding **claim 5**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the web-based content comprises a news article.

Wang discloses the method wherein the web-based content comprises a news article (see col. 9, lines 50-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the web-based content comprises a celebrity biography as taught by Wang for the advantage of giving viewers complete information about the television program.

6. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575) and Nsonwu et al. (U.S. Patent No. 6,978,473) as applied to *claim 1* above, and further in view of Tannenbaum (U.S. Publication No. 2006/0218599).

Regarding **claim 8**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). Schein et al. disclose television broadcast schedule data (see fig 4A).

However, Schein et al. and Nsonwu et al. fail to specifically disclose the schedule data being filtered based on a timezone.

Tannenbaum discloses the schedule data being filtered based on a timezone (see paragraph 0053).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the schedule data being filtered based on a timezone as taught by Tannenbaum for the advantage of adjusting to match the time zone of different location where the program is being delivered.

7. **Claim 10, 34-35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575) and Nsonwu et al. (U.S. Patent No. 6,978,473) as applied to *claims 1, 33* above, and further in view of Jackson (U.S. Patent No. 7,199,842).

Regarding **claim 10**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 1*). However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the associated data element comprises data associated with a particular episode of a television series.

Jackson discloses the method wherein the associated data element comprises data associated with a particular episode of a television series (*see col. 3, lines 4-19*).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the associated data element comprises data associated with a particular episode of a television series as taught by Jackson for the advantage of generating an indication to inform the viewer of when the next episode of the program is to be shown.

Regarding **claim 34**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 33*). Nsonwu et al. discloses the TV tag (palette) with personalization data (*see fig 9*).

However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the TV represents a particular television series, and wherein the data indicates that the version of the television broadcast schedule is to include data describing each episode of the particular television series that is scheduled to be broadcast.

Jackson discloses the method wherein the TV represents a particular television series, and wherein the data indicates that the version of the television broadcast schedule is to include data describing each episode of the particular television series that is scheduled to be broadcast (see col. 1, lines 60-col. 2, lines 22).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the TV represents a particular television series, and wherein the data indicates that the version of the television broadcast schedule is to include data describing each episode of the particular television series that is scheduled to be broadcast as taught by Jackson for the advantage of generating an indication to inform the viewer of when the next episode of the program is to be shown.

Regarding **claim 35**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see *claim 33*). Nsonwu et al. discloses the TV tag (palette) with personalization data (see fig 9).

However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the TV represents a particular episode of a television program, and wherein the data indicates that the version of the television broadcast schedule is to include data

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describing the particular episode of the particular television that is scheduled to be broadcast.

Jackson discloses the method wherein the TV represents a particular episode of a television program, and wherein the data indicates that the version of the television broadcast schedule is to include data describing the particular episode of the particular television that is scheduled to be broadcast (see col. 2, lines 25-33).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the TV represents a particular episode of a television program, and wherein the data indicates that the version of the television broadcast schedule is to include data describing the particular episode of the particular television that is scheduled to be broadcast as taught by Jackson for the advantage of generating an indication to inform the viewer of when the next episode of the program is to be shown and with the detailed description.

8. **Claim 36** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575) and Nsonwu et al. (U.S. Patent No. 6,978,473) as applied to *claim 33* above, and further in view of Kundson et al. (U.S. Publication No. 7,199,842).

Regarding **claim 36**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see *claim 33*). Nsonwu et al. discloses the TV tag (palette) with personalization data (see fig 9).

However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the TV represents a particular television series, and wherein the data indicates that the version of the television broadcast schedule is to include data describing only new episodes of the particular television program that are scheduled to be broadcast.

Knudson et al. discloses the method wherein the TV represents a particular television series, and wherein the data indicates that the version of the television broadcast schedule is to include data describing only new episodes of the particular television program that are scheduled to be broadcast (see paragraph 0010).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the TV represents a particular television series, and wherein the data indicates that the version of the television broadcast schedule is to include data describing only new episodes of the particular television program that are scheduled to be broadcast as taught by Kundson et al. for the advantage of recognizing new episodes.

9. **Claims 24, 31, 41-43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575) and Nsonwu et al. (U.S. Patent No. 6,978,473) as applied to *claim 40* above, and further in view of Salvo et al. (U.S. Patent No. 6,341,271).

Regarding **claim 24**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 23*). However, Schein et al. and Nsonwu et al. fail

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to specifically disclose the method wherein the reminder comprises an electronic mail message.

Salvo et al. discloses the method wherein the reminder comprises an electronic mail message (see col. 8, lines 57-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the reminder comprises an electronic mail message as taught by Salvo et al. for the advantage of alerting a viewer when their favorite program is about to air.

Regarding **claim 31**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 29*). However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the reminder comprises an electronic mail message.

Salvo et al. discloses the method wherein the reminder comprises an electronic mail message (see col. 8, lines 57-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the reminder comprises an electronic mail message as taught by Salvo et al. for the advantage of alerting a viewer when their favorite program is about to air.

Regarding **claim 41**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 40*). However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the reminder comprises an electronic mail message.

Salvo et al. discloses the method wherein the reminder comprises an electronic mail message (see col. 8, lines 57-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the reminder comprises an electronic mail message as taught by Salvo et al. for the advantage of alerting a viewer when their favorite program is about to air.

Regarding **claim 42**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (*see claim 40*). However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the reminder comprises an internet-based alert message.

Salvo et al. discloses the method wherein the reminder comprises an internet-based alert message (see col. 8, lines 57-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al. and Nsonwu et al. to include the method wherein the reminder comprises an internet-based alert

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message as taught by Salvo et al. for the advantage of alerting a viewer when their favorite program is about to air.

Regarding **claim 43**, Schein et al. and Nsonwu et al. discloses everything claimed as applied above (see claim 40). However, Schein et al. and Nsonwu et al. fail to specifically disclose the method wherein the reminder comprises an automated telephone call.

Salvo et al. discloses the method wherein the reminder comprises an automated telephone call (see col. 8, lines 57-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method Schein et al. and Nsonwu et al. to include the method wherein the reminder comprises an automated telephone call as taught by Salvo et al. for the advantage of alerting a viewer when their favorite program is about to air.

10. **Claim 49** is rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (U.S. Patent No. 6,075,575) Nsonwu et al. (U.S. Patent No. 6,978,473) and Ellis et al. (U.S. Publication No. 2009/0019485) as applied to *claim 40* above, and further in view of Dimitrova et al. (U.S. Publication No. 2002/0144293).

Regarding **claim 49** Schein et al., Nsonwu et al. and Ellis et al. discloses everything claimed as applied above (see claim 48). However, Schein et al., Nsonwu et al. and Ellis et al. fail to specifically disclose the method wherein the program scheduled

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to be broadcast in which the particular celebrity has an appearance comprises a talk show on which the celebrity is a guest.

Dimitrova et al. discloses the method wherein the program scheduled to be broadcast in which the particular celebrity has an appearance comprises a talk show on which the celebrity is a guest (see paragraph 0044, lines 5-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Schein et al., Nsonwu et al. and Ellis et al. to include the method wherein the program scheduled to be broadcast in which the particular celebrity has an appearance comprises a talk show on which the celebrity is a guest as taught by Dimitrova et al. for the advantage of watching a program with a viewer's favorite celebrity.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NNENNA N. EKPO whose telephone number is (571)270-1663. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nnenna N. Ekpo/
Patent Examiner
October 22, 2009.

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2425